

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

November 16, 2023

\_\_\_\_\_  
No. 22-40728  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

LISA TORREY; KATHRYN KOCUREK, *Individually and on behalf of* THE  
ESTATE OF J. DAVID KOCUREK, PH.D.; AMY HANNEKEN; JANE  
POWELL; CAROL FISCH; JOHN VALERIO, *Individually and as Next  
Friend of* CHRISTOPHER VALERIO; RANDY SYKES; BRIENNA  
REED; ROSETTA FULLER; ADRIANA MONTEIRO MOREIRA;  
JESSICA MCKINNIE; KRISTINE WOODARD; GAYLE CLARKE;  
ALLISON LYNN CARUANA; CHLOE LOHMEYER; TAWNYA DAWN  
SMITH, *Individually and as Next Friend of* MONET PITRE; MIKE  
PEACHER, *Individually and as Next Friend of* ASHLEIGH PEACHER;  
ALARIE BOWERMAN, *Individually and as Next Friend of* ELISA  
BOWERMAN, EMORY BOWERMAN and ANAIS BOWERMAN,

*Plaintiffs—Appellants,*

*versus*

INFECTIOUS DISEASES SOCIETY OF AMERICA,

*Defendant—Appellee.*

\_\_\_\_\_  
Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 5:17-CV-190  
\_\_\_\_\_

Before JONES, STEWART, and DUNCAN, *Circuit Judges.*

J U D G M E N T

No. 22-40728

This cause was considered on the record on appeal and was argued by counsel.

IT IS ORDERED and ADJUDGED that the judgment of the District Court is AFFIRMED.

IT IS FURTHER ORDERED that plaintiffs-appellants pay to defendant-appellee the costs on appeal to be taxed by the Clerk of this Court.



**Certified as a true copy and issued  
as the mandate on Dec 08, 2023**

Attest:

*Jyle W. Canyca*  
Clerk, U.S. Court of Appeals, Fifth Circuit